United Nations S/AC.49/2018/16

Security Council

Distr.: General
7 February 2018

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 6 February 2018 from the Permanent Mission of Sweden to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Sweden to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to submit herewith its implementation report pursuant to resolution 2375 (2017) (see annex).

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Annex to the note verbale dated 6 February 2018 from the Permanent Mission of Sweden to the United Nations addressed to the Chair of the Committee

Report of Sweden on the implementation of Sècurity Council resolution 2375 (2017)

1. Sweden and the other States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed under the provisions of Security Council resolution 2375 (2017) by taking the following common measures:

(a) Council Implementing Decision (CFSP) 2017/1573 of 15 September 2017 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, implementing the designation of additional persons and entities (travel ban and asset freeze);

(b) Council Implementing Regulation (EU) 2017/1568 of 15 September 2017 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to Council Implementing Decision (CFSP) 2017/1573;

(c) Council Decision (CFSP) 2017/1838 of 10 October 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea.

The Council Decision referred to above sets out the commitment of the European Union to the implementation of the measures contained in Security Council resolution 2375 (2017):

- Trade ban on weapons of mass destruction-related dual-use items adopted by the sanctions committee pursuant to paragraph 4 of resolution 2375 (2017)
- Trade ban on conventional arms-related items adopted by the sanctions committee pursuant to paragraph 5 of resolution 2375 (2017)
- Prohibition on the entry into the ports of Member States of vessels designated by the sanctions committee pursuant to paragraph 6 of resolution 2375 (2017)
- Obligation on Member States that are flag States and that do not consent to inspection of a vessel on the high seas to direct the vessel to proceed to an appropriate and convenient port for the required inspection
- Deregistration of vessels designated by the sanctions committee pursuant to paragraph 8 of resolution 2375 (2017)
- Prohibition on facilitating or engaging in ship-to-ship transfers to or from vessels flagged by the Democratic People's Republic of Korea of any goods or items that are being supplied, sold or transferred to or from the Democratic People's Republic of Korea
- Prohibition on exporting condensates and natural gas liquids to the Democratic People's Republic of Korea
- Prohibition on exporting refined petroleum products to the Democratic People's Republic of Korea. The prohibition does not apply if the conditions mentioned in paragraph 14 of resolution 2375 (2017) are met
- Prohibition on the export by each Member State to the Democratic People's Republic of Korea of an amount of crude oil that is more than the amount that

the Member State exported in the period of 12 months prior to 11 September 2017. The sanctions committee may grant an exemption on a case-by-case basis under certain conditions

- Prohibition on importing textiles from the Democratic People's Republic of Korea. The prohibition does not apply if the conditions mentioned in paragraph 16 of resolution 2375 (2017) are met. The sanctions committee may grant an exemption on a case-by-case basis
- Prohibition on providing work authorizations for nationals of the Democratic People's Republic of Korea in the jurisdiction of Member States in connection with admission to their territories. The sanctions committee may grant an exemption on a case-by-case basis under certain conditions
- Prohibition on opening, maintaining and operating joint ventures unless approved by the sanctions committee on a case-by-case basis and obligation to close existing joint ventures
- Obligation to seize and dispose of items the export of which is prohibited by resolution 2375 (2017)

(d) Council Regulation (EU) 2017/1836 of 10 October 2017 amending Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures provided for in Council Decision (CFSP) 2017/1838.

2. In addition to the common European Union measures, the Swedish authorities, within the scope of their national implementation competence, apply the Act on Certain International Sanctions (1996:95) in implementing the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council.

3. The aforementioned Council Regulations are binding in their entirety and directly applicable in all States members of the European Union, including Sweden. Council Regulation (EU) 2017/1509, as amended, requires that member States determine the penalties applicable to infringements of the provisions of that regulation. At the national level, penalties for violations of directly applicable European Union law are set out in the relevant sections of Act (1996:95).

4. Sweden has also adopted the Military Equipment Act (1992:1300), under which it requires an export authorization for the sale, supply, transfer or export of arms and related materiel (excluding paramilitary equipment) to third countries and an authorization for the provision of brokering services and other services related to military activities. Act (1992:1300) and Council Decision (CFSP) 2016/849 provide the basis for the enforcement of the arms embargo against the Democratic People's Republic of Korea and the ban on related brokering services.

5. In addition, Sweden has adopted Decree (2011:67) on Certain Sanctions against the Democratic People's Republic of Korea, under which it prohibits the procurement of arms and related materiel (including paramilitary equipment) from and the sale, supply, transfer or export of paramilitary equipment to the Democratic People's Republic of Korea.

6. As regards restrictions on admission (visa ban), the general legislation of Sweden concerning aliens, Council Decision (CFSP) 2016/849 and Council Regulation (EC) No. 539/2001 provide the basis for refusing admission and denying requests for a visa.